

SENATE BILL 917

A2

11r2800
CF HB 1350

By: **Senator Colburn**

Introduced and read first time: February 21, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 28, 2011

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2011

CHAPTER _____

1 AN ACT concerning

2 **Wicomico County – Alcoholic Beverages Licenses – Pub-Breweries and**
3 **Micro-Breweries**

4 FOR the purpose of exempting certain alcoholic beverages businesses in Wicomico
5 County from a certain prohibition against having a financial interest in a
6 premises where alcoholic beverages are sold at retail or in any other business
7 conducted by an alcoholic beverages licensee; altering the number of Class B
8 beer, wine and liquor licenses that a person may hold and still remain eligible to
9 be issued a pub-brewery or micro-brewery license; authorizing a holder of a
10 certain license to be eligible to be issued a micro-brewery license and certain
11 other licenses; and generally relating to alcoholic beverages in Wicomico
12 County.

13 BY repealing and reenacting, without amendments,
14 Article 2B – Alcoholic Beverages
15 Section 12-104(a)(1) and (2) and (b)(1)
16 Annotated Code of Maryland
17 (2005 Replacement Volume and 2010 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article 2B – Alcoholic Beverages
20 Section 12-104~~(b)(1) and~~ (e)(5)
21 Annotated Code of Maryland
22 (2005 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 2B – Alcoholic Beverages**

4 12–104.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Business entity” means any holder of a manufacturer’s or
7 wholesaler’s license, or anyone connected with the business of the holder, or any
8 distiller, nonresident dealer, resident dealer, brewer, rectifier, blender or bottler of
9 alcoholic beverages.

10 (b) (1) ~~(H) THIS PARAGRAPH DOES NOT APPLY IN WICOMICO~~
11 ~~COUNTY.~~

12 ~~(H)~~ A business entity may not have any financial interest in the
13 premises upon or in which any alcoholic beverage is sold at retail by any licensee or in
14 any business conducted by any licensee.

15 (e) (5) (i) This paragraph applies only in Wicomico County.

16 (ii) Subject to subparagraph (iii) of this paragraph, the
17 Comptroller may issue one Class 6 pub–brewery license or one Class 7 micro–brewery
18 license, but not both, to a person that holds not more than [three] FIVE Class B beer,
19 wine and liquor licenses.

20 (iii) A Class 6 pub–brewery license or a Class 7 micro–brewery
21 license issued under subparagraph (ii) of this paragraph may be issued only for a
22 location in an enterprise zone.

23 **(IV) A NOTWITHSTANDING SUBSECTION (B)(1) OF THIS**
24 **SECTION, A HOLDER OF A CLASS A LICENSE MAY ALSO HOLD A CLASS 7**
25 **MICRO–BREWERY LICENSE AND NOT MORE THAN FIVE CLASS B BEER, WINE AND**
26 **LIQUOR LICENSES UNDER THIS PARAGRAPH.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2011.